

**United States District Court****for****Southern District of Ohio****Petition for Warrant or Summons for Offender Under Supervision**Name of Offender: **Jordan Benjamin**Case Number: **1:02-CR-00115**Name of Sentencing Judicial Officer: **The Honorable S. Arthur Spiegel, United States Senior District Judge**Date of Original Sentence: **April 15, 2003**Original Offense: **Possession of A Firearm by a Convicted Felon**Original Sentence: **51 month(s) prison, 36 month(s) supervised release**Type of Supervision: **Term Of Supv Rel**Date Supervision Commenced: **November 16, 2006**Assistant U.S. Attorney: **Timothy Oakley**Defense Attorney: **W. Kelly Johnson**

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**PETITIONING THE COURT**

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- ☒ To issue a warrant  
☐ To issue an Order to Appear and Show Cause  
☐ To grant an exception to revocation without a hearing.

4

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
#1	<p>On March 7, 2007, a petition for Warrant or Summons was filed, advising the Court of the offender's noncompliant behavior. The petition alleged that the offender had submitted three positive urinalysis for cocaine, and he also incurred a new arrest for Unauthorized Use of a Motor Vehicle. A warrant was requested, and issued on March 13, 2007. On March 20, 2007, the offender appeared before the Honorable Timothy Hogan. He waived probable cause, and was released on bond to the Talbert House, with the condition that he comply with the rules of the program pending the violation hearing.</p> <p>On March 30, 2007, the undersigned met with the offender at the Grant County Detention Center, and he agreed to have his conditions of release modified, specifically, as a condition of his supervised release, the offender agreed to enter the Talbert House Residential Re-entry Program for a period of 120 days. Therefore, a subsequent request to modify his conditions of release was submitted to the Court on April 5, 2007. The request for the violation hearing was held in abeyance, allowing the offender the opportunity to comply with the modification request.</p> <p>On April 13, 2007, the offender was transported to the Talbert House Residential Re-entry program and instructed to comply with the rules of that program for a period of 120 days.</p>

As of June 7, 2007, it was learned that the offender absconded from the program by failing to return to the Talbert House on the evening of June 6, 2007. At this time, his whereabouts are unknown.

#2

On June 8, 2007, the offender contacted this writer and was instructed to report to the probation office by noon. The offender failed to report, as directed.

U.S. Probation Officer Recommendation: Based on the offender's failure to comply with the Talbert House Residential Re-entry Program, and his failure to report in person on June 8, 2007, as instructed, it is respectfully requested that a warrant be issued for his arrest.

Upon his apprehension, it is requested that the violation hearing, previously held in abeyance, be scheduled and that the offender is ordered to show cause as to why his supervision should not be revoked.

The term of supervision should be

- ☒ Revoked.  
☐ Extended for \_\_\_\_\_ years, for a total term of \_\_\_\_\_ years.  
☐ Continued based upon the exception to revocation under 18 U.S.C. 3563(e) or 3583(d)  
☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that  
the foregoing is true and correct.

Executed on June 11, 2007

Approved,

by

  
**Michelle Merrett**  
 U.S. Probation Officer


  
**John Cole**

Supervising U.S. Probation Officer

Date: June 11, 2007

#### THE COURT ORDERS:

- ☐ No Action  
☒ The Court finds that there is probable cause to believe the defendant has violated the conditions of his/her probation/supervised release and orders the Issuance of a Warrant for his/her arrest.  
☐ The Issuance of an Order to Appear and Show Cause  
☐ The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions.  
☐ Other

  
 Signature of Judicial Officer  
6/12/07  
 Date